



AP/Ifw

PTO/SB/21 (09-04)
Approved for use through 07/31/2006. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Total Number of Pages In This Submission

5

Application Number

10/713,600

Filing Date

November 13, 2003

First Named Inventor

Reinhold G. Grellmann

Art Unit

2113

Examiner Name

Michael C. Maskulinski

Attorney Docket Number

US009221-A

ENCLOSURES (Check all that apply)

☐

Fee Transmittal Form

☐

Fee Attached

☐

Amendment/Reply

☐

After Final

☐

Affidavits/declaration(s)

☐

Extension of Time Request

☐

Express Abandonment Request

☐

Information Disclosure Statement

☐

Certified Copy of Priority Document(s)

☐

Reply to Missing Parts/
Incomplete Application

☐

Reply to Missing Parts
under 37 CFR 1.52 or 1.53

☐

Drawing(s)

☐

Licensing-related Papers

☐

Petition

☐

Petition to Convert to a
Provisional Application

☐

Power of Attorney, Revocation

☐

Change of Correspondence Address

☐

Terminal Disclaimer

☐

Request for Refund

☐

CD, Number of CD(s) _____

☐ Landscape Table on CD

☐

After Allowance Communication to TC

☐

Appeal Communication to Board
of Appeals and Interferences

☒

Appeal Communication to TC
(Appeal Notice, Brief, Reply Brief)

☐

Proprietary Information

☐

Status Letter

☒

Other Enclosure(s) (please identify
below):

Receipt Confirmation Postcard

Remarks

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name

Signature

W. Brinton Yorks, Jr.

Printed name

W. Brinton Yorks, Jr.

Date

10/6/05

Reg. No.

28,923

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

Signature

Jill Peistrup

Typed or printed name

Jill Peistrup

Date

6 October 2005

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



APPEAL
Serial No.: 10/713,600
Docket# US009221-A

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Before the Board of Patent Appeals and Interferences

In re the Application of

Inventors : Reinhold G. Grellmann et al.
Application No. : 10/713,600
Filed : November 13, 2003
**For : REMOTE ULTRASOUND
SYSTEM DIAGNOSTICS**

REPLY BRIEF

On Appeal from Group Art Unit 2113

W. Brinton Yorks, Jr.

**US PHILIPS CORPORATION
22100 Bothell Everett Highway
Bothell, WA 98021
Phone: (425) 487-7152
Fax: (425) 487-8135**

Attorney for Appellants

TABLE OF CONTENTS

	<u>Page</u>
I. DISCUSSION.....	2

I. DISCUSSION

In the Examiner's Answer to Reply Brief the Examiner continues to confuse the discussion of service diagnostics of the hardware and software of an ultrasound system with the medical diagnostics for a patient. In particular the Examiner contends that the sentence at column 13, lines 3-8 of US Pat. 5,851,186 (Wood et al.) and the phrase "their diagnostic results" used in the sentence refers to service diagnostics of an ultrasound system. In fact, this sentence is referring to diagnostic results of a patient exam such as ultrasound images and diagnostic reports which might be stored on a remotely accessible central server. This is apparent from the sentences immediately following the sentence in question in the rest of the paragraph, which discuss how a user can access the patient directory on the server to access the reports and ultrasound images from the patient's exams. The paragraph in question only is discussing medical patient diagnostics and not ultrasound system hardware and software diagnostics.

As the author of the sentence and patent in question, the undersigned is well positioned to know the intent and meaning of this passage.

Respectfully submitted,

REINHOLD G. GRELLMANN ET AL.

By: W Brinton Yorks, Jr.
W. Brinton Yorks, Jr.
Reg. No. 28,923